

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**August 11, 2003**

DIVISION THREE

B151635      People      (Not for Publication)

V.  
Joseph Robinson Okello

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.  
Croskey, J.

DIVISION FIVE

B164306 People (Not for Publication)

V.  
Jeffrey Green

The judgment is affirmed.

Grignon, Acting P.J.

We concur:   Armstrong, J.  
                      Mosk, J.

B163369 Carlos Rojas (Not for Publication)

V.  
Hyatt Corporation

The judgment is affirmed. Respondent(s) to recover costs.

Mosk, J.

We concur:   Armstrong, Acting P.J.  
Mosk, J.

DIVISION FIVE (Continued)

B163017      Scoey Mitchill                      (Not for Publication)  
                 v.  
                 Lanark Properties, Ltd., et al.

The order denying Mitchill's motion for restoration of property and ordering recovery of proceeds of execution sale is affirmed. The parties shall bear their own costs on appeal.

Mosk, J.

We concur:   Turner, P.J.  
                 Armstrong, J.

B160884      People                                      (Not for Publication)  
                 v.  
                 Anthony Barre

The matter is remanded to allow the trial court to exercise its discretion regarding the three one-year enhancements pursuant to Penal Code section 667.5, subdivision (b). Following the issuance of the remittitur, the clerk of the superior court is directed to prepare and deliver to the Department of Corrections an amended abstract of judgment which accurately sets forth: the two three-year enhancements pursuant to Health and Safety Code section 11370.2, subdivision (a); the presentence credits of 684 days which includes 228 days of conduct credit; and the \$50 penalty assessment pursuant to Penal Code section 1464, subdivision (a). In all other respects, the judgment is affirmed.

Turner, P.J.

I concur:      Grignon, J.  
I concur:      Mosk, J. (opinion)

B160005      People                                      (Not for Publication)  
                 v.  
                 Daniel Lewis

The judgment is affirmed.

Mosk, J.

We concur:   Turner, P.J.  
                 Grignon, J.

August 11, 2003 (Continued)

## DIVISION FIVE (Continued)

B161650      People                                  (Not for Publication)  
v.  
Henry Jackson

The two one-year prior prison term enhancements under section 667.5, subdivision (b) are stricken. In all other respects, the judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.  
Armstrong, J.

B167030      Keisha T.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(D.C.F.S., r.p.i.)

The petition is denied.

Mosk, J.

We concur: Grignon, Acting P.J.  
Armstrong, J.

B168157 City of Thousand Oaks  
v.  
California Regional Water Quality Control Board, et al.

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed May 17, 2003) dismissed. Plaintiff, City of Thousand Oaks, is to recover its costs on appeal from defendants, California Regional Water Control Board, Los Angeles Region and the State Water Resources Control Board.

B159311 People  
v.  
Linda Ableman

Filed order denying petition for rehearing.

DIVISION SIX

B161552     Budgery, et al.  
                 v.  
                 Lorillard Tobacco Co., et al.

Filed order denying petition for rehearing.

DIVISION SEVEN

B158894     Weinberg, et al.                             (Not for Publication)  
                 v.  
                 Safeco Insurance Company of America

The order granting respondents' motion to tax costs (i.e., appellant's request for expert fees) in case number BC237804 is affirmed. The judgment confirming the arbitration award against appellant and awarding costs and prejudgment interest to respondents and the order denying the motion to tax costs in case number BC266899 are reversed. Each party to bear its own costs on appeal

Woods, J.

We concur:   Perluss, P.J.  
                     Johnson, J.